

REMARKS

By this amendment, claims 1-38 are pending, in which claims 1, 3, 6, 8, 9, 11, 15, 16, 17, 18, 21, 23, 25, 30, 31, 33, 36, and 38 are currently amended, and no claims are canceled, withdrawn, or newly presented. No new matter is introduced.

The final Office Action mailed September 20, 2005 rejected claims 1-4, 6-12, 14-19, 21-26, 28-34, and 36-38 under 35 U.S.C. § 102(e) as anticipated by *Allen* (U.S. 6,744,891) and claims 5, 13, 20, 27, and 35 as obvious under 35 U.S.C. § 103(a) based on *Allen*.

Applicants respectfully traverse the rejections of all claims because *Allen* fails to disclose or suggest all features of the claims.

In the interest of advancing prosecution Applicants have amended independent claims 1, 9, 16, 23, and 31.

Amended independent claims 1, 16, and 31 each recite, “forwarding a portion of the information and state data indicating billing and reporting information associated with the request message to the client in response to the request message” and “receiving a selection message including the state data from the client in response to the forwarded portion.” Amended independent claim 9 recites, “the communication interface receives a selection message including state data indicating billing and reporting information associated with the request message from a client in response to receipt of the retrieved portion.” Amended independent claim 23 recites, “a server configured to communicate with the client and to forward a portion of the information and state data indicating billing and reporting information associated with the request message to the client in response to the request message, wherein in response to the forwarded portion, the client transmits a selection message specifying whether the remaining portion of the information should be retrieved and the state data to the server.”

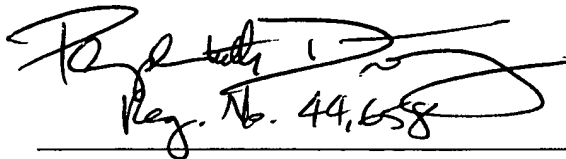
Allen (per Abstract) is directed to a method and system for delivering data over a communication network which ensures-proper payment of royalties while preserving free access to data for purposes such as browsing or research. A partially-degraded version of the data is sent over the network, without payment of a royalty fee, to a customer at a user terminal connected to the network; and a higher quality version of the data is provided to the customer over the network if the customer is entitled to receive the higher quality version. The determination as to whether the customer is so entitled may be made by determining if a royalty fee payment has been received. The partially-degraded version of the data is substantially recognizable when displayed, printed, played, run or otherwise utilized by the customer at the user terminal, and may be generated by deleting or encrypting a portion of the undegraded data. The higher quality version may be provided by transmitting the complete higher quality version, or transmitting remaining data such as the deleted portion or a decryption key, to the user terminal.

Applicants respectfully submit that *Allen* does not disclose or suggest “state data indicating billing and reporting information associated with the request message” being forwarded with a portion of the information and being transmitted with the selection message, as recited by the independent claims of the present application. Therefore, the rejection of all pending claims should be withdrawn.

Therefore, the present application, as amended, overcomes the objections and rejections of record and is in condition for allowance. Favorable consideration is respectfully requested. If any unresolved issues remain, it is respectfully requested that the Examiner telephone the undersigned attorney at (703) 425-8508 so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

DITTHAVONG & CARLSON, P.C.

A handwritten signature in black ink, appearing to read "Margo Livesay", is written over a horizontal line. Below the signature, the text "Reg. No. 44,658" is handwritten.

Margo Livesay, Ph.D.
Attorney/Agent for Applicant(s)
Reg. No. 41,946

11/21/05
Date

10507 Braddock Road
Suite A
Fairfax, VA 22032
Tel. (703) 425-8508
Fax. (703) 425-8518